* ZONING COMMISSIONER the c/l of Right Elevator Road * OF BALTIMORE COUNTY 15th Election District 6th Councilmanic District * Case No. 89-27-A

Michael P. Jones, et ux Petitioners

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a front average setback of 18 feet in lieu of the required 22 feet, a minimum side yard setback of 7 feet in lieu of the required 8 feet, and a sum of the side yard setback of 17 feet in lieu of the required 20 feet for a proposed addition as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mr. Jones, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this August, 1988 that the Petition for Zoning variance to permit a front average setback of 18 feet in lieu of the required 22 feet, a minimum side yard setback of 7 feet in lieu of the required 8 feet, and a sum of the side yard setback of 17 feet in lieu of the required 20 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its

2) The Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartment.

> J. ROBERT HAINES Zoning Commissioner for Baltimore County

original condition.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines

August 1, 1986

Dennis F. Rasmussen

RE: PETITION FOR ZONING VARIANCE S/S Fuselage Avenue, 75' E of the c/l of Right Elevator Road 15th Election District; 6th Councilmanic District Case No. 89-27-A

Dear Mr. & Mrs. Jones:

Mr. & Mrs. Michael P. Jones

Baltimore, Maryland 21220

705 Fuselage Avenue

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> ROBERT HAINES Zoning Commissioner

Enclosure cc: People's Counsel

; File

for Baltimore County

CAPIMORE COUNTY, MORY AND

INTER-OFFICE CORRESPONDENCE

TO J. Robert Haines

FROM P. David Fields, Director
Office of Planning and Zoning

SUBJECT Zoning Petitions #89-4-A, 89-5-A, 89-14-A, 89-15-A, 89-16-A, 89-17-A, 89-19-A, 89-21-A, 89-23-A, 89-25-A, 89-27-A, 89-28-A, 89-29-A, and 89-34-A

There are no comprehensive planning factors requiring comment on these petitions.

PDF/jat cc: Shirley Hess, People's Counsel J. G. Hoswell Zoning File

cc: Mr. & Mrs. Michael P. Jones

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

June 13, 1988

Dennis F. Rasmussen County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake

Avenue in Towson, Maryland as follows: Petition for Zoning Variance CASE NUMBER: 80-27-A SS Fuselage Avenue, 75° E of c/l of Right Elevator Road

\$705 Fuselage Avenue) 15th Election District - 6th Councilmenic Petitioner(s): Micheel P. Jones, et ux HEARING SCHEDULED: THURSDAY, JULY 28, 1988 at 9:00 a.m.

VARIANCE to allow a front average setback of 18 ft. in lieu of the required 22 ft., a minimum side yard setback of 7 ft. in lieu of the required 8 ft. and a sum sideyard setback of 17 ft. in lieu of the required 20 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert faires. J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cce Mr. & Mbs. Jones

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

Date: July 13,1988 J. Robert Hainer
Zoning Commissioner

Mr. & Mrs. Michael P. Jones 705 Fuselage Avenue Baltimore, Maryland 21220

Re: Petition for Zoning Variance CASE NUMBER: 89-27-A SS Fuselage Avenue, 75° E of c/l of Right Elevator Road 1705 Fuselage Avenue) 15th Election District - 8th Councilmanic Petitioner(s): Michael P. Jones, et ux

HEARING SCHEDULED: THURSDAY, JULY 28, 1988 at 9:00 a.m.

Bear Mr. & Mrs. Jones:

Please be advised that 77.35 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building Poom 111 Towson Maryland 21204 fifteen (15) minutes before

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT issioner of B CC7 ***** 7725: 8 829 of 27-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 313. 1. 1802. 38 (211.3) To allow a front overage Setbook of of 18 ft. in liev of the required 22 ft, aminimum side yord Set back at 7 ft. in Liev at the required 8 ft. and a sum sideyard Sethack of 17 ft. in lieu of the sequired 20 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the 4B following reasons: (indicate hardship or practical difficulty) 1. 5 persons LINNG IN 2 BEDROOM, I BATHROOM HOUSE 2. ONLY 750 SQ. FT. LIVING SPACE. 3. TOO CLOSE TO GARAGE. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm. under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser Legal Owner(s): MARY A. JONES (Type or Print Name) Mary Albrer MICHAEL P. JONES City and State Attorney for Petitioner: 705 FUSELAGEAVE GOD682-2709 (Type or Print Name) BALTIMORE, MD Name, address and phone number of legal owner, contract purchaser or representative to be contacted OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT r of this petition be advertised, as pers of general circulation throughic hearing be had before the Zoning

Located on the north side of Fuselage Ave., being Known as Lot #352 of Victory Villa, Section 2 of recorded among the Land Records of Baltimore County in Book 22 folio 109. Also Known as #705 Fuselage Ave.

ce Building in Towson, Baltimore

7---, 19-88, at 2--- o'clock

FROM: 14 chas Junes Item # 408

FOR Poside dul Trong Variano Min No

VALIDATION OR SIGNATURE OF CASHIER

B B 855******3500:a 8104F

NOTICE OF HEARING The Zouing Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case Number: 80-87-A
SS Pusslage Avenue, 75 E of c/1 of Right Elevator Road
(705 Pusslage Avenue)
15th Election District — 6th Councilmantic District
Petitionar: Michael P. Jones, et uz
Hearing Scheduled: THURSDAY,
JULY 28, 1988 at 8:00 A.M.
VARIANCE to allow a front average setback of 18 ft. in lieu of the required 22 ft., a minimum side yard setback of Middle River, Md., _ This is to Certify, That the annexed leg m 15066 was inserted in Qe Times, a newspaper printed and published in Baltimore County, once in each 22 ft., a minimum side yard setback of 7 ft. in lies of the required 8 ft. and a sum side yard setback of 17 ft. in lies of the required 20 ft. TIL In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for medians. mit during this period for good cause shown. Such request must be in writing and received in this office by the "DUPLICATE" CERTIFICATE OF PUBLICATION NOTICE OF HEARING The Zorsing Commissioner of Bal-timore County, by authority of the Zorsing Act and Regulations of Balti-more County will hold a public published in THE JEFFERSONIAN, a weekly newspaper printed Petition for Zorung Variance
Case number: 89-27-A ***
SS Fuselage Avenue, 75' E of of
of Right Elevator Road (705
Fuselage Avenue)
15th Election District
6th Councilmanic District
Petitioner(s):
Michael P. Jones, et ux and published in Towson, Baltimore County, Md., once in each Hearing Date: Thursday, July 28, 1988 at 9:00 a.m. Variance to allow a front average aetback of 18 ft. in lieu of the reaetback of 18 ft. in lieu of the required 22 ft., a minimum side yard setback of 7 ft. in lieu of the required 8 ft. and a sum sideyard setback of 17 ft. in lieu of the required 20 ft. in lieu of the required any pepal period. The Zoning Commissioner will, however, entertain any request for a stay of the insuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. THE JEFFERSONIAN, 5. Zehe_Orlows. #37.50 J. ROBERT HAINES CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 89-27-1

Posted for: Michael P. Jones, a toy

Location of property: S/S [USe/29x Mrs., 75" F/R. Flore for Pd.

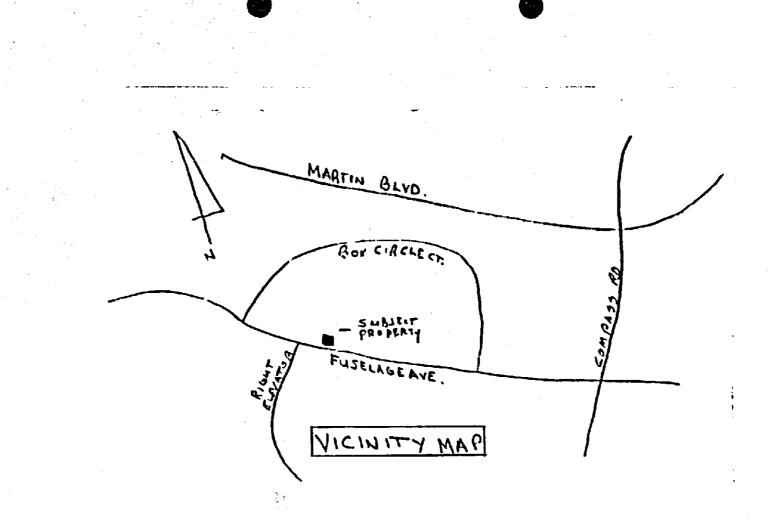
205 [esa laga from
Location of Signer Fairing Fost laga flore, epoten, 10" fr. Voodway

On from of file lioner

Posted by Mistealy Date of return: 7/8/85

70 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 24th day of ______, 1988. Advisory Committee



Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

June 23, 1988



Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number (408) 409, 410, 411, 412, 414, 415, 416 and 417.

> Very truly yours, Cotto Eichen Stephen E. Weber, P.E. Assistant Traffic Engineer

SEW/RF/pml-b

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke Chief

Item No.: 408

Gentlemen:

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Michael P. Jones, et ux

Location: SS Fuselage Avenue, 75' E. of c/1 Right Elevator Road Zoning Agenda: Meeting of 5/24/88

June 7, 1988

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 18, 1988

CDUNTY OFFICE BLDG, lil W. Chesapeake Ave. Towson, Maryland 21204

Bureau of

Bureau of

Industrial

Department of Traffic Engineering

Health Department

Project Planning

Building Department

Board of Education Zoning Administration

State Roads Commission

Mr. & Mrs. Michael P. Jones 705 Fuselage Avenue Baltimore, Maryland 21220

> RE: Item No. 408 - Case No. 89-27-A Petitioner: Michael P. Jones, et ux

Petition for Zoning Variance

Dear Mr. & Mrs. Jones:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled acccordingly.

Very truly yours,

JAMES E. DYER Chairman Zoning Plans Advisory Committee

Enclosures

JED:dt